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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

EARLY MCGEE, individually,

Plaintiff,

vs.

EURPAC SERVICE, INC., a Connecticut
Corporation; DOES I-X; and ROE
CORPORATIONS I-X, inclusive,

Defendant.

CASE NO.: 2:2-cv-00334-RFB-BNW

STIPULATION AND ORDER TO
EXTEND DISCOVERY PLAN AND
SCHEDULING ORDER

(Third Request)

Plaintiff, EARLY MCGEE, by and through her attorneys of record, ADAM SMITH LAW, and Defendant, EURPAC SERVICES, INC., by and through its attorneys of record LEWIS BRISBOIS BISGAARD & SMITH LLP, hereby request that the discovery deadlines in the previously filed STIPULATION AND ORDER TO EXTEND DISCOVERY PLAN AND SCHEDULING ORDER [Doc.21], be extended by ninety (60) days, pursuant to FRCP 29 and LR-26.4, as follows:

A. DISCOVERY WHICH HAS BEEN COMPLETED

The parties have conducted the following discovery to date:

1. Participation in the FRCP 26(f) Conference;
2. Plaintiff has propounded Requests for Admissions, Request for

1 Production and Interrogatories and Defendant has answered;

2 3. Defendant has propounded Interrogatories, Requests for Production,
3 and Requests for Admission. Plaintiff has answered;

4 4. Plaintiff has disclosed her Initial FRCP 26(a)(1) Disclosure of Witnesses
5 and Documents;

6 5. Defendant has disclosed their Initial and First through Third
7 Supplemental FRCP 26(a)(1) Disclosures;

8 6. Defendant deposed Plaintiff; and

9 Defendant was able to obtain documents from Class Six through a
10 Freedom of Information Act Request.
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12 **B. DISCOVERY WHICH REMAINS TO BE CONDUCTED**

13 1. Deposition of Defendant;

14 2. Obtaining Plaintiff's Medical Records;

15 3. Depositions of Plaintiff's Medical Providers;

16 4. Initial Expert and Rebuttal Expert Disclosures;

17 5. Depositions of Plaintiff's Expert Witnesses;

18 6. Depositions of Defendant's Expert Witnesses;

19 7. Service of Subpoena to Nellis Airforce Base (currently closed to civilians
20 due to COVID-19 Pandemic);
21

22 8. Site Inspection of the Nellis Airforce Base Exchange- Class Six
23 (currently closed to civilians due to COVID-19 Pandemic);
24

25 9. Additional Written Discovery; and

26 10. Any Additional Discovery Deemed Necessary.
27
28

C. REASONS WHY THE PROPOSED DISCOVERY PLAN WAS NOT COMPLETED PRIOR TO THE EXPIRATION OF THE CURRENT DISCOVERY DEADLINE

The parties have been working diligently to complete discovery. Plaintiff has responded to Defendant's written discovery, and Defendant has attempted to request and subpoena Plaintiff's medical records. Due to the restrictions imposed by the current COVID-19 Pandemic, Nellis Airforce Base is currently closed, and the parties have been unable to serve a subpoena for relevant information and/or schedule a site inspection. Defendant will obtain medical records and then parties will be able to schedule the deposition of Defendant. The parties will schedule the depositions of disclosed medical experts, and Plaintiff's treating physicians. The parties respectfully request an extension.

D. PROPOSED PLAN FOR COMPLETING DISCOVERY

EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Discovery Deadline	January 25, 2021	March 23, 2021
Amend Pleading/Add Parties	October 26, 2020	December 29, 2020
Initial Expert Disclosures	November 24, 2020	January 25, 2021
Rebuttal Expert Disclosures	December 18, 2020	February 16, 2021
File Dispositive Motions	February 23, 2021	April 26, 2021
Pre-Trial Order	December 23, 2020	February 22, 2021

E. THE CURRENT TRIAL DATE

This matter has not been scheduled for trial.

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1 E. NUMBER OF REQUESTS FOR EXTENSION

2 This is the third request to extend discovery deadlines and continue trial date.

3 DATED this 1st day of October, 2020.

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5 ADAM SMITH LAW

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7 By: /s/ Christian A. Miles

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20 *Attorneys for Defendant Eurpac Service Inc.*

21 IT IS ORDERED that ECF No.
22 22 is GRANTED in part and
23 DENIED in part. It is granted in
24 all respects except that the
pretrial order deadline shall be
25 May 26, 2021.

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: October 6, 2020.